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The Commissioner for Patents
United States Patent and Trade Mark Office
Commissioner for Patents
PO Box 1450
Alexandria
Virginia 22313-1450

Application No: 12/152,391
Applicant: Laaong SILAPROM
Filed: 05/14/2008
Examiner Name: Jamila O. Williams

Confirmation No.: 4524
ATTY. DOCKET NO./TITLE: 59388-0003

Thank you for your earlier letter describing why A Notice to File Missing Parts was sent to Ruden, McClosky, Smith, Schuster, P.A.

However this does not change the fact that I still cannot hope to file the missing parts when I have no notification of them, Ruden, McClosky, Smith, Schuster, P.A. made no attempt to forward your Notice on to me and it seems impossible for me to get the USPTO to notify me of what the missing parts were.

I have so far not been able to gain access to the Notice of Missing Parts and so it is impossible for me to rectify this situation. USPTO may have mailed the notice to Ruden, McClosky, Smith, Schuster, P.A. but this firm did not in turn send it on to me.

I have no opportunity to complete my application because my Notice was sent out and not received by me, on top of this, the PAIR system will not work.

I was dealing with this application myself but my inexperience in USPTO procedures was seemingly frustrating my examiner, so I decided to seek professional help, however when I employed Ruden, McClosky, Smith, Schuster, P.A., they changed my drawings to look like prior art, so I guessed they were not on my side, I suspect my application has effectively been sabotaged by my seeking professional help. I cannot gain access to the Notice of Missing Parts and of course an attorney that attempts to change a client's drawings to look like prior art would certainly not send on mail from the USPTO after being fired.

The situation as it stands is impossible to rectify, I cannot gain access to the Missing Parts information.
May I please request a written notification of the Missing Parts.

My application has fallen into problems because I employed professional help from a Patent Attorney which I found on the USPTO website, I thought I was doing the right thing by employing a Patent Attorney but when the attorney prepared a continuation-in-part application, he had changed my drawings to look exactly like two pieces of prior art which had been noted by my examiner, of course I asked for the drawings to be changed back and this is probably why the attorney filed my application with missing parts. The attorney re-made the drawings to effectively take away everything that is novel about my invention, I can only speculate on the reason for him doing this, but this is the why I fired him.

My attorney also made a point of asking applicants nationality, which I found strange as USPTO had never asked me for this information, anyway it seems clear to me that the attorney was not working in my best interests and I myself was a fool to fall for such a thing, I have seemingly wasted thousands of dollars by going to Ruden, McClosky, Smith, Schuster, P.A. which effectively resulted in my original application becoming abandoned and my continuation-in-part becoming abandoned through missing parts and me having absolutely no access to the Notice of Missing parts.

I would very much like to have a written notice of the missing parts so that I might bring my application into order.

With very many thanks

Yours Sincerely,



Laaong Silaprom



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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

APR 20 2009

Mr. Laaong Silaprom
7 Walton Street
Colne
Lancashire, BB8 0EL
UNITED KINGDOM

Dear Mr. Silaprom:

Thank you for your facsimile communication of March 31, 2009, addressed to the Commissioner for Patents at the United States Patent and Trademark Office (USPTO). Your letter has been referred to me for response.

Your letter states that paperwork has been mailed to an attorney that you no longer employ to represent you. This resulted in the application 12/152,391 becoming abandoned because you were unable to respond to the Notice to File Missing Parts. Your letter then states that you attempted to view your application in PAIR but that the system must have a problem because it could not access the application.

I will address the abandonment concern first. Application 12/152,391 was filed May 14, 2008, granting Power of Attorney to Ruden, McClosky, Smith, Schuster & Russell, P.A. A Notice to File Missing Parts, as well as a filing receipt, was mailed June 2, 2008, to the address for the attorney of record. On June 9, 2008, a Request to Withdraw as Attorney and change of address were received. This withdrawal and change of address were accepted and acknowledged August 6, 2008. Therefore, the Notice to File Missing Parts was properly mailed to the Attorney because the Attorney still had Power of Attorney at that point in time. The only letter we have mailed since August 2008 has been the abandonment letter mailed February 10, 2009 to your address. The Abandonment letter sets forth the following options available:

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(I); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

If applicant chooses one of these options, please be aware that you must file a copy of the abandonment notice, as well as what was listed as missing on the Notice to File Missing Parts, and any necessary fees.

I will next address the PAIR concern. Let me start by explaining PAIR. PAIR[®] is the Patent Application Information Retrieval system that displays information regarding patent application status. There is both a Public and Private side to PAIR. "Public PAIR" only displays issued or published application status. To access Public PAIR, you need only have a patent, application, or publication number that you wish to search. "Private PAIR" is the Patent Application Information Retrieval system developed to provide secure access for customers who want to view current patent application status electronically via the Internet. Private PAIR provides secure real-time access to pending application status and history using digital certificates issued from the USPTO's Public Key Infrastructure. You are probably accessing Public PAIR. Your application was just filed in May 2008 so it will not become published until 18 months from that point. Therefore, you will not be able to view it in Public PAIR until that publication occurs.

I hope this letter addresses your concerns. If you have any further questions relating to this matter, please contact Lesley Morris at (571) 272-8800.

Sincerely,



David Wiley
Office of the Commissioner for Patents

DW:ldm